THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 23243 of 2005

Between:

H.B.Sayeed, S/o late S.B.A.Sari

..... PETITIONER

AND:

The A.P.S.R.T.C., reptd by its

Regional Manager, Picket,

Secunderabad and another.

.....RESPONDENTS

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 23243 of 2005

ORDER:

The petitioner was employed as a driver in Faluknuma Depot of A.P.S.R.T.C. He was retired on 20.08.2004 on medical grounds, even before he attained the age of superannuation. His vision was found defective. Petitioner states that the Corporation is under obligation to provide alternative employment as provided for under Section-47 of the persons with Disabilities (equal opportunities, protection of rights and full participation) Act, 1995 (for brevity 'the Act'). He contends that as an alternative to the same, the Corporation evolved the scheme for providing additional monetary benefit through its Circular, dated 26.08.2005. He contends that neither of them has been extended to him. He further claims to have made a representation, dated 26.09.2005, to the respondents and complains that no action has been taken thereon.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondent.

The petitioner was retired on medical grounds on 20.08.2004. After his retirement, the Corporation issued a Circular, dated 26.08.2005, providing for payment of additional monetary benefits in lieu of alternative employment under Section-47 of the Act. The petitioner states that he has been extended none of these benefits.

The representation of the petitioner needs to be considered with reference to the provisions of the Act as well as the Circular referred to above. In case, his case is governed by either of them, he cannot be denied the benefit thereunder. The representation cannot be kept

pending indefinitely.

Hence, the writ petition is disposed of directing the second respondent to pass appropriate orders on the representation of the petitioner, dated 26.09.2005, within a period of six weeks from the date of receipt of a copy of this order. No order as to costs.

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14.11.2005

DR